

Entered -06-12-00 - sb
CL 00L0372 - GWENDOLYN BURNS

CLAIM OF:

OLIVER PETERS, JR.
476 Ashby Street, NW
Atlanta, Georgia 30315

01-*ℓ*-1205

For damages alleged to have been sustained when the City
incorrectly restored a driveway during a sidewalk repair project in
May 2000 at 476 Ashby Street, NW.

THIS ADVERSED REPORT IS
APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

C-51

V
COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

BURNS
06/09/00
RE: CLAIM FOR DAMAGES

Today's Date: 5/15/00

05-24-00 P01:40 IN

Dear Municipal Clerk:

ENTERED -6-12-00 - SB

00LO372 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 5-00 Per Claimant (month/day/ year) 2. Time of Incident: _____ 3. Police called: _____ Yes No

4. Location of incident (including street address): _____

5. Name of your insurance company: State farm Policy No. FP7923

6. State what and how incident occurred: When repairing sidewalk (at resident expense) cracked driveway, causing flooding to driveway.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

OLIVER PETERS, Jr.
(Print Claimant's Name)

476 Ashby St. N.W.
(Address)

Atlanta Ga. 30315
(City, State and Zip Code)

(404) 876-5906
(Work Number) (Home Number)

01-1205

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0372

Date: June 12, 2001

Claimant/Victim OLIVER PETERS, JR.
BY: (Atty) (Ins. Co.) _____
Address: 476 Ashby Street, NW, Atlanta, Georgia 30315
Subrogation: _____ Claim for Property damage \$ unspecified Bodily Injury \$ _____
Date of Notice: 5/24/00 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) X
Date of Occurrence 5/00 Place: 476 Ashby Street, NW
Department PUBLIC WORKS Division _____ Street _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant's residence sustained flooding problems when his driveway was incorrectly restored by the City during a sidewalk repair project. However, the issues of this claim are being corrected and resolved through the Street Division.

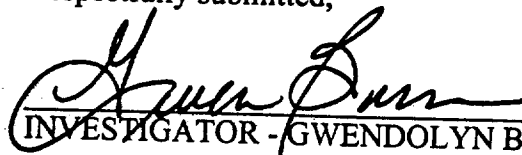
INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

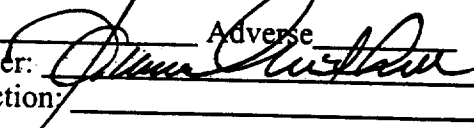
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces X
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 07-18-01
Committee Action: _____ Council Action _____